



## **Corporation Counsel**

Eric H. Burns  
8 N. Third Street, Suite 401  
P.O. Box 499  
Lafayette, Indiana 47902-0499  
765.742.1988  
Fax: 765.742-8774

**March 7, 2016**

### **Legal Report For February 2016**

During February, 2016, the following areas of note were addressed by the Corporation Counsel's office:

#### **Council**

Attend Council; conference with councilors, dept. heads; conference Clerk staff.

#### **Board of Works**

Attend BOW, conference with staff regarding filing procedures, research on appropriation of insurance proceeds; Attend Dept. head meeting, conference with Mayor regarding public hearing schedule, emails and discussion with Clerk, Councilor, Controller regarding insurance appropriation following statutory research regarding same, conference with HR director regarding personnel issue; Attend BOW, conference with controller regarding bond proceeds, conference Mayor regarding appointments; Attend to public records requests and format for response to insure compliance with State Law requirements; Attend BOW, conference with Mayor and department heads regarding budget, State Street, IAW hydrant rental legislative changes; Emails from and to city staff regarding purchasing rules, WWTU temporary loan, copyright issues; Discussion with Corporation Counsel regarding HRC meeting and agenda; review Complaint filed against HRC Commissions in Bloomington and Carmel for presentation at HRC meeting; Review HRC score comparison between Bloomington and West Lafayette before start of meeting; Attend HRC meeting at Morton; Review BOW agenda and discussion with Corporation Counsel regarding BOW meeting; Discussion with deputy clerk before meeting regarding bid opening procedure; Attend BOW meeting; Attend Executive Session and Special Meeting, conference with members and staff regarding procedural issues; Draft and transmit Memorandum of Executive session.

#### **Wastewater Utility**

Review and respond re elevator contract for testing.

**Development**

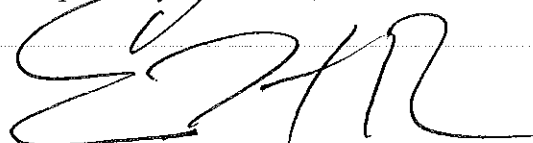
Attend to contract with artists.

State Street Project — Phone conference with Eric; Legal research regarding current status of Tort Claims damages cap for political subdivisions; legal research regarding status of legal challenges to tort damages cap; email to Eric regarding same; Telephone conference with Rakich, et al regarding insurability issues for project after research regarding limitation of liability cap for public entity, conference with team regarding public meetings, conference with legal team and B&T regarding redaction and procedural issues for minor modifications to proposal; Conference with city Team, Mayor regarding upcoming meeting, project scope adjustments; Review numerous emails regarding Commercial and financial close, dates and requirements; Attend JB sponsored public hearing, conference with Mayor, Counsel; Attend to numerous emails regarding project timeline, expedited timeline scheduling and scope issues; Begin review and completion of commercial close checklist; Attend to numerous insurance issue with multiple emails to team, MBAH, telephone calls to R. Starkey Esq. with T. Brooks Esq.; Conference with team, conference with city team and Mayor, conference with controller, telephone call to MBAH regarding property insurance; Conferences with Mayor, PWD, Controller MBAH, JB member regarding insurance, negotiations, telephone and emails regarding public records, attend to numerous emails regarding JB selection process, update status of negotiations; Attend to many emails and telephone calls re property insurance options to increase construction scope, attend JMT and JB meeting, conference with Mayor, R. Starkey Esq., Controller PWD regarding same; Review financial closing checklist for completion, email regarding JB voting electronically; Review numerous emails regarding insurance/scope issue, resolution for council to transfer real estate; Numerous emails with attachments reviewed, conferences with city staff regarding Supplemental MOU, analyze same; Conferences in person and via telephone with City team, CPA, Joint Team, telephone calls with Counsel for JB and RDC, review proposals on insurance and inaugural payment, review, revise and file resolution to transfer, create exhibits; Conference with PWD, CPA, A. Allen Esq., RDC Counsel, review Supplemental; Briefly review agenda for State Street conference call; Attend first half of conference call regarding State Street project; Conference with City team, emails and telephone conferences with R. Starkey Esq., S. Schultz Esq., A. Allen Esq., T. Brooks Esq., J. Treat, Mayor, Telephone conference with entire team regarding closing checklists, review and respond to many emails from JB counsel.

**Code Enforcement**

Telephone call from G. Eberhardt Esq. regarding FUSE PUD, research code regarding same.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "E. Burns", written over a horizontal dotted line.

Eric H. Burns, Corporation Counsel